How to Use the Oracle Software and Services Statewide Contract

Contract #: ITS19   Contract Duration: 11/16/2004 to 06/30/2014
MMARS #: ITS19*   Options to renew: Through 6/30/2019 for maintenance only (technical support and software upgrades)
Contract Manager: Marge MacEvitt - 617-720-3121 – marge.macevitt@state.ma.us
Last change date: 12/18/2013

Contract Summary

This contract is for obtaining Oracle licenses, technical support, maintenance, training and consultation.

Benefits and Cost Savings

- Significant discounts from list pricing

Who Can Use This Contract?

Applicable Procurement Law: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

Eligible Entities:
01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

Pricing and Purchase Options

Acquisition Options

Oracle software licenses may be acquired through outright purchase. Oracle maintenance may be paid through an annual subscription or other time period agreed to between Oracle and your Agency. Consulting services may be obtained on a time and materials basis or for a fixed fee.

Pricing

Licenses and maintenance/support

Dollar amount of License and Support at List Price	Discount*
$1 – $1 Million	47%
$1Million plus	Contact Oracle

*For acquisitions over $1 Million, non-Executive Department agencies and municipalities should negotiate for a discount higher than 47%. **Executive Department agencies must contact ITD (louis.angeloni@state.ma.us) prior to purchasing licenses.**

Maintenance and Support Pricing
Technical support and maintenance are 22% of the price paid for the license (not the list price). When purchasing licenses, be sure to plan for future support costs.

Training and Education
Public Instructor Led Training ("ILT") may be purchased at a 15% discount off the Oracle University Price List in effect at the time the student is registered for training. Public ILT is priced at a "per day" rate, and accelerated public ILT courses are priced at a "per content day" rate. See Oracle University's Price List for list pricing. Discounts may not be used in conjunction with any other discounts or special promotions offered by Oracle University.

Ordering

Executive Departments – Requirement to contact ITD
Executive Department agencies must contact ITD prior to acquiring any Oracle Database licenses. ITD will be aggregating orders where practical to achieve the highest possible discount level. If licenses are required immediately, contact Louis Angeloni (louis.angeloni@state.ma.us) to see if loaner licenses are available.

Software Development Approval Required
If you intend to use this contract for software development or other work which will result in the creation of intellectual property, you must contact ITD's Legal Counsel for approval. There are issues concerning ownership of intellectual property which must be resolved on a case-by-case basis.

Quote Request
Request a quote from Oracle's Contract Manager, who will be able to advise on appropriate products if you are not certain as to exactly what products are needed.

When planning to add licenses, it is advisable to contact your Oracle representative with an inventory of your current licenses and your new requirements to work out the most cost effective alternative, particularly if you will be converting any licenses to a newer licensing model.

Purchase Order Language
All orders placed under this contract must include language to make it clear that the order is being placed under ITS19.

Signing the License Agreement
When purchasing Oracle licenses for the first time under ITS19, you will be asked to sign Oracle's OSLA (Oracle Standard License Agreement). The OSLA has been amended so as not to conflict with the Commonwealth Terms and Conditions. The OSLA is posted on Comm-PASS under the "Forms & Terms" tab under the title "Amendment to Oracle License Agreement"; see directions below under Locating the Contract Documents on Comm-PASS. Also review "Supplemental Terms," located under the "Forms & Terms" tab.

Additional Information
Vendors
The only Vendor on this Contract is Oracle America, Inc. The contact people for the Contract are:

General questions:
Margaret Deacon, margaret.deacon@oracle.com, 916-315-5782

Business questions about Oracle/PeopleSoft and other enterprise business applications:
Scott DeLuca, scott.deluca@oracle.com, 978-290-3914

Business questions about Oracle support (billing):
Gavin Ostrom, gavin.ostrom@oracle.com, 916.315.5391

Technical questions about Oracle products or support
Glenn Klausner, glenn.klausner@oracle.com, 508-615-1332

Questions about education programs for Oracle products:
Frank Montano, frank.montano@oracle.com, 916-315-7183

Questions about Oracle Consulting Services:
James Cole, james.cole@oracle.com, 518-573-3841

Questions about Assisted Services :
Brian Fadale, brian.fadale@oracle.com, 202-421-8337

Additional Contract Terms and Documents

Contract Terms
The Updated Terms and Pricing Effective 7/1/2012 documents on the "Forms & Terms" tab consists of:
>   Attachment A – Contract changes and Updates
>   Exhibit 1 to Attachment A – License Definitions and Rules

Exhibit 3 to Attachment A – Technical Support Policies
Exhibit 3 to Attachment A – Price Lists
Exhibit 4 to Attachment A – Advanced Customer Support Rates
Exhibit 5 to Attachment A – Consulting Rates

The other documents on the "Forms & Terms" tab (in addition to this Contract User Guide) are:
1. Updated Terms and Pricing – Signed Attachment (executed copy of cover page to current contract)
2. Amendment to Oracle License Agreement
3. Supplemental Terms (additional Contract terms)
4. Signed Contract Form for the Initial Contract Term
5. Oracle RFR (RFR resulting in this Contract and incorporated into the Contract)
6. Hyperion Supplemental Price List
7. Primavera Global Price List and Cover Letter
8. Entire Agreement (order of precedence for initial Contract documents)

Previous versions of the Contract can be found under ITS19, status "INACTIVE," under the "Forms & Terms" tab.

Personal Information
In the event that Oracle staff require access to Commonwealth data owned by Executive Departments that contains personally identifiable information protected under MGL c. 93H and other statutes (for example, in the context of providing support services to diagnose a database issue), the preferred method is via the Commonwealth Information Technology Division's (ITD's) VPN connection, whereby Oracle staff will access data residing on a Commonwealth System rather than transferring the data to a device under Oracle's control. Executive Departments must contact ITD to arrange for VPN access.

If VPN access is not practical, Commonwealth staff must contact the individual listed in the OSD Update as the Oracle Support Contact. The Oracle Support Contact will work with the Executive Department Agency to determine how support can be provided securely through some alternate means. The Executive Department may not allow Oracle to download personally identifiable information without the express written permission of the Information Security Officer for the Executive Department.

Contract Users other than Executive Departments must also comply with all laws pertaining to personally identifiable information, and should be aware that information downloaded by Oracle without making special arrangements may reside on a non-encrypted laptop or other device.

Locating the Contract Documents on Comm-PASS
1. Go to www.comm-pass.com
2. Select "Search for contracts"
3. Enter ITS19 as the "Document Number" and select "Search"
4. Select the new link that appears toward the top of the page:
5. "There are 6 Contract(s) found that match your search criteria"

6. Select the eyeglasses icon under "View" next to the ACTIVE Contract.
7. RFR Documents are posted under the Forms & Terms tab.

Strategic Sourcing Services Team Members

[Marge MacEvitt](#) is the only member of the Team currently employed with the Commonwealth.